



3753/B  
PATENT  
5-27-03  
#4

ATTORNEY DOCKET NO.: 051481-5077

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
Frederic GAGNON	)	Confirmation No: 5999
	)	
Application No.: 09/986,758	)	Group Art Unit: 3753
	)	
Filed: November 9, 2001	)	Examiner: J. Fox
	)	
For: DIFFUSER IN AN AIR MASS FLOW	)	
CONTROLLER	)	

Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window  
**Mail Stop Non-Fee Amendment**  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

**RECEIVED**

MAY 27 2003

TECHNOLOGY CENTER R3700

Sir:

**REQUEST FOR RECONSIDERATION TRANSMITTAL FORM**

1. Transmitted herewith is a Request for Reconsideration responding to the Office Action dated January 21, 2003.
2. Additional papers enclosed:
  - ☐ Request for Approval of Drawing Changes with attached FIG. 1
  - ☐ Information Disclosure Statement
  - ☐ Form PTO-1449, \_\_\_\_\_ references included
  - ☐ Citations
  - ☐ Declaration of Biological Deposit
  - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

05/22/2003 H8UTEMAI 00000085 500310 09986758

01 FC:1251 110.00 CH

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input checked="" type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 410.00	\$ 205.00
<input type="checkbox"/> three months	\$ 930.00	\$ 465.00
<input type="checkbox"/> four months	\$ 1,450.00	\$ 725.00

Extension of time fee due with this request: \$ 110.00 at large entity rates.

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	22	minus	22		x \$18 each=	+ \$
Independent Claims (37 C.F.R. §1.16(b))	2	minus	3		x \$84 each=	+ \$
[ ] First presentation of Multiple dependent claim(s)					\$280.00	+ \$
SUB-TOTAL =						\$
Reduction by ½ for filing by a small entity						- \$
TOTAL FEE =						\$ 0

6. Fee Payment

- ☐ No fee is to be paid at this time.
- ☒ The Commissioner is hereby authorized to charge \$110.00 for a one month extension of time to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: May 21, 2003

By: 

Peter J. Sistrare

Registration No. 48,183

**CUSTOMER NO. 009629**  
**MORGAN, LEWIS & BOCKIUS LLP**  
 1111 Pennsylvania Avenue, N.W.  
 Washington, D.C. 20004  
 202-739-3000